

STATE OF SOUTH CAROLINA

(Caption of Case)

Petition to Intervene
By Nucor Steel-
South Carolina

216573
BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2008 - 447 - EG

#1 D. Duke

(Please type or print)

Submitted by: Thomas S. Mullikin

SC Bar Number:

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NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

- ☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously
- ☐ Other:

INDUSTRY (Check one)

NATURE OF ACTION (Check all that apply)

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Electric | <input type="checkbox"/> Affidavit | <input type="checkbox"/> Letter | <input type="checkbox"/> Request |
| <input checked="" type="checkbox"/> Electric/Gas | <input type="checkbox"/> Agreement | <input type="checkbox"/> Memorandum | <input type="checkbox"/> Request for Certification |
| <input type="checkbox"/> Electric/Telecommunications | <input type="checkbox"/> Answer | <input type="checkbox"/> Motion | <input type="checkbox"/> Request for Investigation |
| <input type="checkbox"/> Electric/Water | <input type="checkbox"/> Appellate Review | <input type="checkbox"/> Objection | <input type="checkbox"/> Resale Agreement |
| <input type="checkbox"/> Electric/Water/Telecom. | <input type="checkbox"/> Application | <input type="checkbox"/> Petition | <input type="checkbox"/> Resale Amendment |
| <input type="checkbox"/> Electric/Water/Sewer | <input type="checkbox"/> Brief | <input type="checkbox"/> Petition for Reconsideration | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Gas | <input type="checkbox"/> Certificate | <input type="checkbox"/> Petition for Rulemaking | <input type="checkbox"/> Response |
| <input type="checkbox"/> Railroad | <input type="checkbox"/> Comments | <input type="checkbox"/> Petition for Rule to Show Cause | <input type="checkbox"/> Response to Discovery |
| <input type="checkbox"/> Sewer | <input type="checkbox"/> Complaint | <input checked="" type="checkbox"/> Petition to Intervene | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Telecommunications | <input type="checkbox"/> Consent Order | <input type="checkbox"/> Petition to Intervene Out of Time | <input type="checkbox"/> Stipulation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Discovery | <input type="checkbox"/> Prefiled Testimony | <input type="checkbox"/> Subpoena |
| <input type="checkbox"/> Water | <input type="checkbox"/> Exhibit | <input type="checkbox"/> Promotion | <input type="checkbox"/> Tariff |
| <input type="checkbox"/> Water/Sewer | <input type="checkbox"/> Expedited Consideration | <input type="checkbox"/> Proposed Order | <input type="checkbox"/> Other: |
| <input type="checkbox"/> Administrative Matter | <input type="checkbox"/> Interconnection Agreement | <input type="checkbox"/> Protest | |
| <input type="checkbox"/> Other: | <input type="checkbox"/> Interconnection Amendment | <input type="checkbox"/> Publisher's Affidavit | |
| | <input type="checkbox"/> Late-Filed Exhibit | <input type="checkbox"/> Report | |

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**BEFORE THE
PUBLIC SERVICE COMMISSION OF SOUTH
CAROLINA**

DOCKET NO. 2008-447-EG

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2009 APR 30 PM 1:15
SOUTH CAROLINA
PUBLIC SERVICE
COMMISSION

Petition of the Office of Regulatory Staff)
To Establish Docket to Consider)
Implementing the Requirements of Section)
1307 (State Consideration of Smart Grid))
and Section 532 (Energy Efficiency)
Programs) of the Energy Independence and)
Security Act of 2007)
)

**PETITION TO INTERVENE
BY NUCOR STEEL –
SOUTH CAROLINA**

Nucor Steel-South Carolina (“Nucor”), a Division of Nucor Corporation, pursuant to Rule 103-825 of the rules and regulations of the South Carolina Public Service Commission (“Commission”), hereby respectfully petitions to intervene in the above-captioned docket. Nucor states the following grounds in support of this petition:

1. Nucor owns and operates a steel production facility near Darlington, South Carolina and is a customer of Progress Energy Carolinas, Inc. (“PEC”) (formerly known as Carolina Power & Light Company (“CP&L”)). Nucor purchases hundreds of millions of kWh of electricity annually from PEC at a cost of millions of dollars a year. Since the cost of electricity comprises one of the major costs of Nucor’s manufacturing process, electric costs directly affect Nucor’s ability to continue to produce steel at a competitive price. Since 1987, Nucor has actively participated in many PEC and CP&L fuel and rate proceedings before this Commission.

2. This docket has been established in response to the Office of Regulatory Staff’s Amended Petition to Establish a Docket to Consider Implementing the Requirements of Section 1307 (State Consideration of Smart Grid) and Section 532 (Energy Efficiency

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Programs) of the Energy Independence and Security Act of 2007. As a large industrial customer in South Carolina, Nucor has a stake in, and will be directly and substantially affected by, the outcome of this proceeding. Due to the magnitude of its load and its unique service characteristics, Nucor cannot be adequately represented by any other party to this proceeding. At this early stage in the proceeding, Nucor has not fully determined what position it may take and how long it will take to complete its presentation and any cross-examination during the public hearing in this proceeding.

3. Nucor's mailing address is:

Nucor Steel – South Carolina
P.O. Box 525
Darlington, SC 29532

4. Nucor will be jointly represented in this proceeding by the firms of Brickfield, Burchette, Ritts & Stone, P.C and Moore & Van Allen, PLLC. Brickfield, Burchette, Ritts & Stone, P.C. represents Nucor in matters regarding electric rates and service in jurisdictions throughout the United States. In the past few years, attorneys of the firm have appeared before this Commission, the Federal Energy Regulatory Commission, and many other state utility commissions. In accordance with Rule 103-804 T(1)(b) of the Commission's Rules of Practice and Procedure, for the purposes of this proceeding, Brickfield, Burchette, Ritts & Stone, P.C. is associated with the firm of Moore & Van Allen, PLLC, whose attorneys are licensed to practice in South Carolina. Service and correspondence regarding this proceeding should be sent to both the undersigned firms.

WHEREFORE, for the reasons set forth above, Nucor respectfully requests permission to intervene in this proceeding.

Respectfully submitted,

MOORE & VAN ALLEN, PLLC

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Counsel for Nucor Steel – South Carolina

Dated: April 30 2009

**BEFORE THE
PUBLIC SERVICE COMMISSION OF SOUTH
CAROLINA**

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2009 APR 30 PM 1:13
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Petition of the Office of Regulatory Staff)
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1307 (State Consideration of Smart Grid))
and Section 532 (Energy Efficiency)
Programs) of the Energy Independence and)
Security Act of 2007)
)

CERTIFICATE OF SERVICE

This is to certify that the foregoing document was served upon the following parties at the addresses set forth by first-class mail, electronic mail, telefax or Federal Express on this the 30 day of April, 2009:

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A handwritten signature in black ink, reading "Tom Mullikin". The signature is written in a cursive, flowing style. The first name "Tom" is written with a large, looped 'T'. The last name "Mullikin" is written with a series of connected loops and a long, sweeping tail that extends to the right.

Thomas S. Mullikin
Robert R. Smith, II